

RECEIVED

AUG 30 2005

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Transfer No. 73065

Receipt No. 5028882

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information BRENT A FUNK
845 S 1800 W
MURTAUGH ID 83344
(208)432-5502
And

CHALET FUNK
845 S 1800 W
MURTAUGH ID 83344
(208)432-5502

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
45-2174B	AJC/License	0.66	82.2			GROUND WATER
45-13432	WR/License	0.78	97.1			GROUND WATER
45-13431	AJC/License	1.22	244.0	61.0	713.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-2174B	NO	NO	YES	YES	NO	NO
45-13432	NO	NO	YES	YES	NO	NO
45-13431	YES	YES	YES	NO	YES	YES

Describe the reason for the proposed changes

Add an existing irrigation well that is being utilized at the dairy site. Adjust the place of use of the existing rights at the dairy to more accurately reflect the actual locations of use. In addition, transfer 14 acres of previously irrigated ground that has been converted to dairy site to stockwater and commercial use at the dairy. Irrigation to dairy use conversion based on 14 acres of winter wheat (2.49 afa/acre) pursuant to previously approved transfer # 69824.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

Wastewater will be collected in a lagoon and land applied as needed.

B. Describe the effects on other water uses resulting from the proposed change

None

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
45-2174B	0.66 cfs			82.2 af
45-13432	0.78 cfs			97.1 af
45-14022	0.28 cfs			34.9 af
TOTAL	1.72 cfs			214.2 af

RECEIVED

AUG 30 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Page 3

Transfer No. 73065

Receipt No. So28882

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Brent Fink

(Signature of Applicant)

Chad Fink

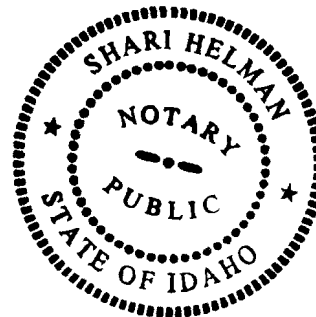
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of August, 2006.

Shari Helman

(Notary Public)

My commission expires 5-10-11



Transfer No. 73065

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 45-2174B

Priority Date: June 17, 1929

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.66 CFS	82.2 AFA	
COMMERCIAL	01/01	12/31	0.66 CFS	82.2 AFA	
Total Diversion			0.66 CFS	82.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSW Sec. 5 Twp 12S Rge 20E CASSIA County

GROUND WATER SWSW Sec. 5 Twp 12S Rge 20E CASSIA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5										X	X	X					

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5												X					

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.44 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 179.3 AF. COMBINED RIGHT NOS.: 45-2174B, 45-13432

RECEIVED
AUG 30 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

2. Commercial use is for a dairy.

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

The total instantaneous diversion of water from all points of diversion under Rights 45-13432 and 45-2174B shall not exceed 1.44 cfs, nor total combined annual volume of 179.3 af.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right holder shall accomplish the change authorized by this approval within 5 years.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Documentation of Ownership of the Current Place of Use

IDWR records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Place of use is changing to more accurately describe the place of use.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 73065

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 45-13432

Priority Date: July 15, 1910

Origin: Water Right

Basis: Decreed

Status: Active

RECEIVED
AUG 30 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.78 CFS	97.1 AFA	
STOCKWATER	01/01 12/31	0.78 CFS	97.1 AFA	
Total Diversion		0.78 CFS	97.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSW Sec. 5 Twp 12S Rge 20E CASSIA County

GROUND WATER SWSW Sec. 5 Twp 12S Rge 20E CASSIA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 20E 5											X						

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 20E 5									X	X	X						

Conditions/Remarks:

1. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-2087.

2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.44 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 179.3 AF. COMBINED RIGHT NOS.: 45-2174B, 45-13432.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. Commercial use is for a dairy.
5. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
6. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. The right holder shall accomplish the change authorized by this approval within 5 years.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Page 8

Documentation of Ownership of the Current Place of Use

IDWR records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Place of use is changing to more accurately describe the place of use.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 73065

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 45-13431

Priority Date: July 15, 1910

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

RECEIVED

AUG 30 2005

DEPT. OF WATER RESOURCES
SOUTHERN REGION

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.22 CFS	244.0 AFA	
	Total Diversion	1.22 CFS	244.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SENESW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 20E 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0	39.0	38.0	38.0	39.0	39.0	39.0	37.0			22.0						330.0
	L1	L2			L3	L4											

Total Acres: 713

Conditions/Remarks:

- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 61 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.91 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2400 AF. COMBINED RIGHT NOS.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-13431
3. Approval of transfer 70288 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-2087.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
10. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of this approval.
11. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 713 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-13431

Documentation of Ownership of the Current Place of Use

IDWR records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

14 acres of previously irrigated ground has been converted to dairy site and will no longer be irrigated

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 73065

Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A

Proposed Water Right No. 45-2174B

Priority Date: June 17, 1929

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

RECEIVED
AUG 30 2005
DEPT. OF WATER RESOURCES
SOUTHERN REGION

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.66 CFS	82.2 AFA	Dairy
COMMERCIAL	01/01	12/31	0.66 CFS	82.2 AFA	Dairy
Total Diversion			0.66 CFS	82.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 existing irrigation well
Point of Diversion # 2 new well to be drilled
Point of Diversion # 3 existing dairy well

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
12S	20E	5									X	X	X						

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
12S	20E	5							X	X	X	X							

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-13432

Priority Date: July 15, 1910

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.78 CFS	97.1 AFA	
STOCKWATER	01/01 12/31	0.78 CFS	97.1 AFA	
Total Diversion		0.78 CFS	97.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSESE Sec. 31 Twp 11S Rge 20E TWIN FALLS
County

GROUND WATER SWSW Sec. 5 Twp 12S Rge 20E CASSIA County

GROUND WATER SWSW Sec. 5 Twp 12S Rge 20E CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 existing irrigation well

Point of Diversion # 2 new well to be drilled

Point of Diversion # 3 existing dairy well

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 20E 5							X		X	X	X			X			

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 20E 5									X	X	X						

Transfer No. 73065

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-14022**RECEIVED**

Priority Date: July 15, 1910

Origin:

Basis: Decreed

Status: Pending
Transfer

AUG 30 2005
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.28 CFS	34.9 AFA	
STOCKWATER	01/01 12/31	0.28 CFS	34.9 AFA	
Total Diversion		0.28 CFS	34.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 31 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E	CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 existing irrigation well
Point of Diversion # 2 new well to be drilled
Point of Diversion # 3 existing dairy well

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 20E 5							X		X	X	X			X			

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 20E 5									X	X	X						

Transfer No. 73065
 Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3B**

PORTION OF RIGHT No. 45-13431 BEING TRANSFERRED

Priority Date: July 15, 1910

Origin:

Basis: Decreed

Status: Pending
 Transfer

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.28 CFS	56.0 AFA	
	Total Diversion	0.28 CFS	56.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SENESW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

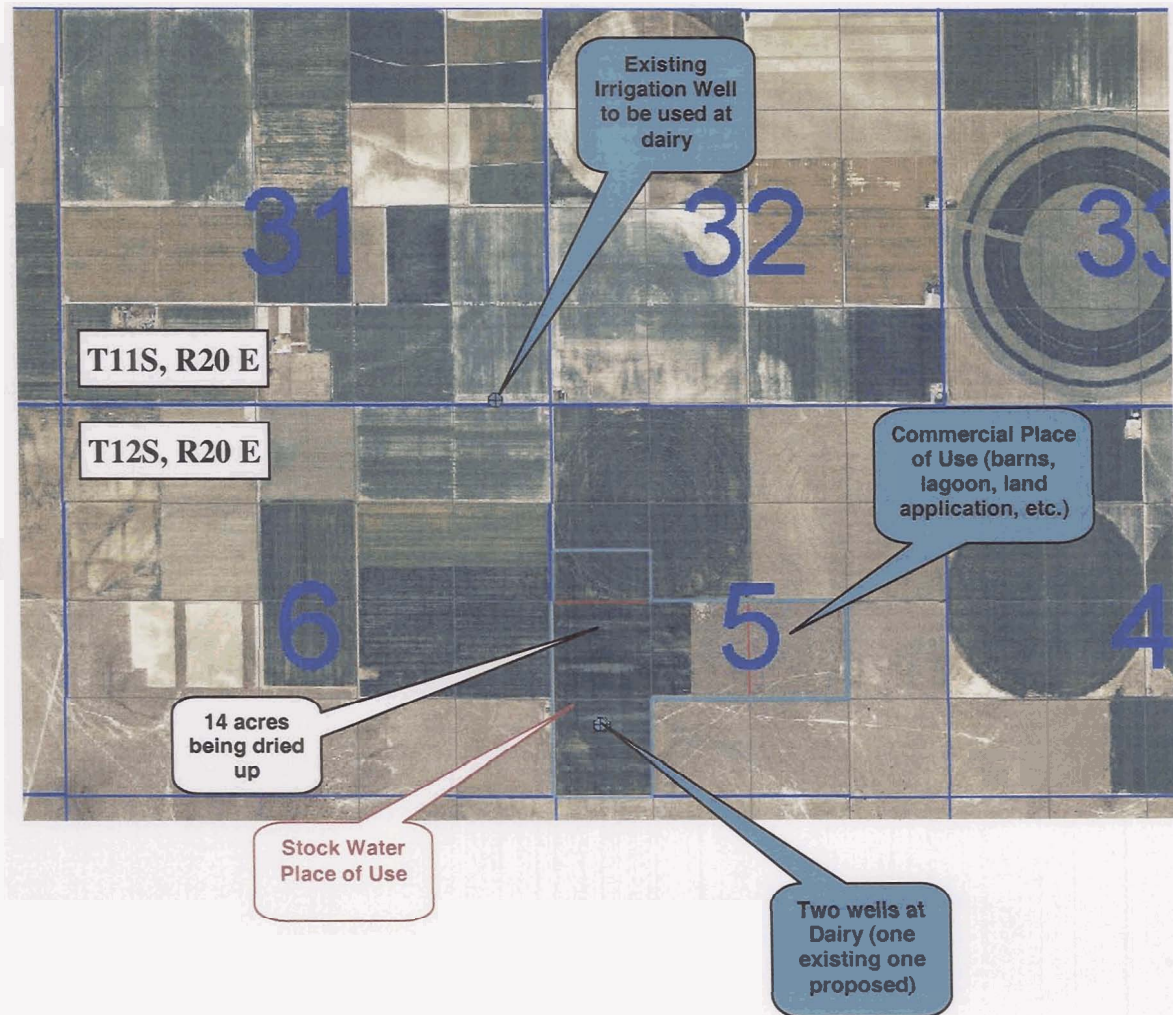
PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5																	14.0
																			14.0

Total Acres: 14

Transfer # 73065

Brent & Chalet Funk



Dairy Water Use Requirements

Date 7/25/2006



Owner/Operator Info		Facility Info
Name:	Brent Funk	Magic Milk Dairy
Address:	0	0
Telephone:	0	0
Fax:	0	0
City:	0	0
State:	0	0
Zip Code:	0	0
County:	Cassia	Cassia
GPS - Latitude	0	0
Longitude	0	0

Dairy Stock Water Requirements

Water Use estimates are based on Producer Determined level of milk production

Animal Type	# of Animals	Animal Weight (lbs)	Animal Units	Drinking Requirement (gal/hd/day)	Drinking Requirement (gal/day)	Total Drinking (gal/yr)	Reference
Lactating cow	4,460	1,400	6,244.0	37.0	165,020	60,232,300	PRODUCER INFORMATION
Dry Cow	900	1,400	1,260.0	15.0	13,500	4,927,500	PRODUCER INFORMATION
Heifer	300	1,000	300.0	12.0	3,600	1,314,000	PRODUCER INFORMATION
Heifer	300	750	225.0	10.0	3,000	1,095,000	PRODUCER INFORMATION
Dairy Cattle	400	250	100.0	8.0	3,200	1,168,000	PRODUCER INFORMATION
Dairy Cattle	500	150	75.0	4.0	2,000	730,000	PRODUCER INFORMATION
none	0	0	0.0	0.0	0	0	0
Totals	6,860		8,204.0		190,320	69,466,800	

Stock water requirement in acre ft/ year

213.2

Stock water pumping diversion in cfs

0.294



Wash Water Sizing

	Barn 1	Barn 2	Barn 3	Barn 1 Breakdown Below
# Cows milked	2,650	1,200	0	
Stations/side	40	20	1	
Strings/milking	66	60	0	
Milkings per Day	2	2	3 milkings/day	
Cow Prep.	1,325	600	0 Gal/day	2 milkings/day 0.25 Gal/cow/milking
Bulk Tank	1,000	300	0 Gal/day	
Pipelines	2,000	640	0 Gal/day	4 cycles/wash 250 gallons/cycle
Claw Back flush	0	2,400	0 Gal/day	0 gal/cycle 4 cycles/wash
Parlor Hand Washdown	1,200	600	0 Gal/day	20 gal/min. 30 min/milking
Deck Sprays	3,533	1,600	0 Gal/day	200 gal/min 8 Runtime sec. 132.5 cycles/day
Deck Flush	6,000	0	0 Gal/day	2000 gal/min. 1 min/cycle 3 cycles/day
Holding Pen Flush	9,000	0	0 Gal/day	3000 gal/min. 1 min/cycle 3 cycles/day
Holding Pen Hand Washdown	1,200	900	0 Gal./day	20 Gal./min. 30 min./milking
Milk Room Cleaning	200	0	0 Gal./day	
Miscellaneous	0	0	0 Gal./day	
	25,458	7,040	0	Total Parlor Volume/day gallons
	612,634	111,658	0	180 Day Parlor Wash Volume ft3
Yearly Parlor Wash Volume		11,861,892	Gallons/year	
Yearly Parlor Wash Volume		36.41	Acre Ft/year	
Commercial Diversion Rate		0.050	CFS	

Recyclable Water Use	Barn 1	Barn 2	Barn 3	
Milking Parlor Throughput	250	125	0	Cows/hr
Time Milking Per Day	21.2	19.2	0	hours/day
Plate Cooler Water Use	38,160	17,280	-	Gal/day
Water Cooled Compressor	-	-	-	Gal/day
Water Cooled Vacuum Pump	-	-	-	Gal/day
	38,160	17,280	-	Total Cooling Parlor Volume/day in gallons

Water Use Evaluation

Clean Water Use	55440 Gal/day
Cow Drinking water use	190320 Gal/day
Commercial Parlor Use	32498 Gal/day
Net Excess Cooling Water	-167378 Gal/day

A negative number shows that the clean water use doesn't exceed cattle drinking and parlor use

Yearly Parlor Cooling Volume (amount exceeding that recycled)

0.0 Acre Ft/year



Water Use Totals

Water Use estimates are based on Producer Determined level of milk production

Stock water Requirement	213.2 Acre Ft/yr
Commercial Parlor Use	36.4 Acre Ft/yr
Additional Cooling Use	0.0 Acre Ft/yr

Total Dairy Water Use Estimate
Total Diversion Rate

249.6 Acre Ft/yr

0.34 Cubic Feet/Second (CFS)

154.7 GPM

(this diversion rate is the minimum rate required to pump the above water use estimate 24/7/365)

284183

RECEIVED

OCT 17 2002

Department of Water Resources
Southern Region

47514SM

TitleFact, Inc.
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

284183 36034
CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE 300 DEPUTY AB'02 OCT 3 PM 3 09
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW**CORPORATION WARRANTY DEED**

FOR VALUE RECEIVED CUMMINS FARMS INC., an Idaho Corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto BRENT A. FUNK and CHALET FUNK, husband and wife, Grantee, whose address is: 2911 N. 4000 E. Hansen Idaho 83334, the following described real estate, situated in Cassia County, Idaho, to-wit:

TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: SW1/4NW1/4, W1/2SW1/4, NE1/4SW1/4 and NW1/4SE1/4

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: September 18, 2002

CUMMINS FARMS INC.

BY: [Signature]

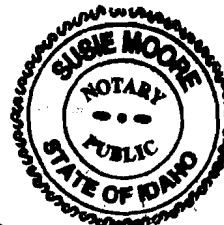
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 1st day of October, 2002, before me, the undersigned, Notary Public in and for said State, personally appeared Daniel Cummins, known to me to be the Secretary-Treasurer of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written

[Signature]
Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 11-28-2002



RECEIVED
AUG 30 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

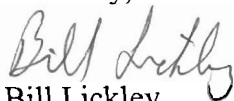
State of Idaho
Department of Water Resources
Re: Transfer No. 73065

To Whom It May Concern:

As mortgage holder on the real property which the transfer above refers to, Northwest Farm Credit Services, does recognize and concur with the requested transfer.

If I can answer any questions, please give me a call (208)732-1033.

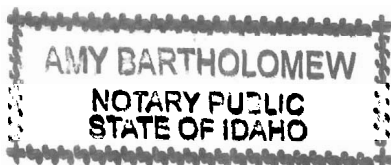
Sincerely,



Bill Lickley
Relationship Manager

STATE OF IDAHO)
)ss.
County of Twin Falls)

On this 29th day of August, 2006, before me personally appeared Bill Lickley, to me known to be the authorized agent of the Northwest Farm Credit Services, FLCA that executed the within instrument, and acknowledged to me that such corporation executed the same as free act and deed; and each on oath stated that he was authorized to execute said instrument.



Notary Public for the State of Idaho
Residing at Jerome, ID
My commission expires 12/19/11